

ASSEMBLY BILL

No. 343

Introduced by Assembly Member McCarty

February 7, 2017

An act to add Sections 68122.3, 69504.7, and 76301.3 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 343, as introduced, McCarty. Public postsecondary education: holders of certain special immigrant visas.

(1) Existing law establishes the California State University, the California Community Colleges, and the University of California as the 3 segments of public postsecondary education in this state. Existing law exempts specified students from paying nonresident tuition at the California State University and the California Community Colleges, and establishes financial aid programs for students, as specified. Existing law also requires the governing board of each community college district to charge resident students an enrollment fee of \$46 per unit per semester and to waive that fee for specified students.

Existing law provides that students who are victims of trafficking, domestic violence, and other serious crimes who have been granted a specified status under federal law are exempt from paying nonresident tuition at the California State University and the California Community Colleges, and are eligible to apply for, and participate in, all student financial aid programs and scholarships administered by a public postsecondary educational institution or the State of California, to the same extent as individuals who are admitted to the United States as refugees under a specified federal law. Existing law also requests the University of California to adopt policies that are consistent with those

provisions. Existing law also requires community college districts to waive the fees of those students to the same extent as individuals who are admitted to the United States as refugees under the specified federal law.

This bill would exempt students who have been granted special immigrant visas pursuant to a specified federal statute from paying nonresident tuition at the California State University and the California Community Colleges, and would make those students eligible to apply for and participate in all student financial aid program and scholarships administered by a public postsecondary educational institution or the State of California, to the same extent as individuals who are admitted to the United States as refugees pursuant to a specified federal statute. The bill would request the Regents of the University of California to adopt policies that would be consistent with this provision. The bill would also require community college districts to waive the fees of these students to the same extent as the above-described refugees.

To the extent that this bill would place additional requirements on community college districts to exempt those students from nonresident tuition, to administer financial aid programs and scholarships, and to provide fee waivers to those students, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 68122.3 is added to the Education Code,
- 2 to read:
- 3 68122.3. (a) Notwithstanding any other law, a student who
- 4 has a special immigrant visa that has been granted a status under
- 5 Section 1244 of Public Law 110-181 or Public Law 109-163 shall
- 6 be exempt from paying nonresident tuition at the California State
- 7 University and the California Community Colleges to the same

1 extent as individuals who are admitted to the United States as
2 refugees under Section 1157 of Title 8 of the United States Code.

3 (b) The Regents of the University of California are requested
4 to adopt policies that are consistent with subdivision (a).

5 SEC. 2. Section 69504.7 is added to the Education Code, to
6 read:

7 69504.7. (a) Notwithstanding any other law, a student who
8 has a special immigrant visa that has been granted a status under
9 Section 1244 of Public Law 110-181 or Public Law 109-163 shall
10 be eligible to apply for, and participate in, all student financial aid
11 programs and scholarships administered by a public postsecondary
12 educational institution or the State of California to the same extent
13 as individuals who are admitted to the United States as refugees
14 under Section 1157 of Title 8 of the United States Code.

15 (b) The Regents of the University of California are requested
16 to adopt policies that are consistent with subdivision (a).

17 SEC. 3. Section 76301.3 is added to the Education Code, to
18 read:

19 76301.3. Notwithstanding any other law, a community college
20 district shall waive the fees of a student who has a special
21 immigrant visa that has been granted a status under Section 1244
22 of Public Law 110-181 or Public Law 109-163 to the same extent
23 as individuals who are admitted to the United States as refugees
24 under Section 1157 of Title 8 of the United States Code.

25 SEC. 4. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.